

**City of Cleveland**  
Minutes  
Regular Council Meeting  
&

Public Hearing  
Monday, October 2, 2023 @ 5:30 p.m.  
205 4<sup>th</sup> Street, Cleveland, MN 56017

The regular meeting was called to order at 5:30 p.m. by Mayor Don McCabe, Council Members present: Anne Hiller, Sarah McCabe, and Mark Hintgen. City Staff present: City Clerk-Treasurer Charles Hodge, Interim City Clerk-Treasurer Gwyn Ploog, Police Chief Randy Tiegs, Head Bartender Julie O'Malley, Public Works Director Casey Volk, City Attorney Jason Moran, County Administrator Joe Martin, City Engineer Jason Femrite, and County Commissioner Steve Rohlfsing

**Approval of Agenda** – A Motion by Hiller and second by Hintgen to approve the Agenda.  
Voting: Yes - All

**Temporary Interconnection w/ West Jefferson Sewer District** – Jason Femrite explained to Council that there was an issue with the West Jefferson sewer line and with the City's permission temporarily connected to the city sewer line that goes out to the ponds while they try to find the cause of the problem. Being connected seemed to work but now West Jefferson sewer line has zero flow and so what they thought was the problem wasn't and will disconnect from the City's sewer Wednesday, Oct. 4<sup>th</sup>. Currently St. Peter Well is pumping out the lift station. They do have a couple of ideas on what could be causing the problem. Femrite continued saying that they are working hard and quickly to find a solution. They will be reimbursing the city for any water that they will be using and the city will not be charged for any expenses regarding this issue.

**Approval of Minutes and Bills** – A Motion was made by Hintgen and second by S. McCabe.  
Voting: Yes – All

**Public Comment** – No Public Comment

**Street Vacation Request** – A Petition was submitted by Tyler & Jennifer Hokanson as well as Jennifer Zak (Jennifer Hokanson & Jennifer Zak attended the meeting) to vacate Main Street between Cherry Street and 3<sup>rd</sup> Street in Cherry Knoll Subdivision between lots 012 and 013. Mayor McCabe asked if there was a reason why they would like to have the street vacated and the property owners on each side of the "street" mentioned that they maintain the area and one of the property owners would like to add a detached garage in the back of the home and need more land to do so. Mayor McCabe explained that the city is currently not using "street" at the moment but it is used to access the creek and to cross the bridge. Mayor continued saying that the city later might need to put in a street or a walking path to the school. City Attorney Moran also added Xcel Energy could also have an easement through there for any future electric lines which would pose a problem in vacating the "street". Moran said the next step should be for the property owner who would like to put build a detached garage should come up with a concrete building plan, which should include the driveway along with measurements and give to City

Hall. Mayor McCabe agreed and that we could possibly give an easement with an understanding that if the property owner paved the driveway it might need to be torn up if the city ever wanted to put in a road. Mayor also suggested to contact Corey Block (City Building Inspector) as well since he would be the one looking at the plan which the property owner stated that she has contacted him.

**Police Report** – The report was presented and approved. Chief Tiegs pointed out on his report that the equipment violations they all were for headlights. He mentioned that the Police Department has given out about 50 coupons for a headlight being out. He explained that those who are stopped with a headlight out are given a warning and a coupon to get their headlight fixed free through the State grant.

The Chief said that the Police Department still has kid's bike helmets if anyone is interested. Tiegs said that the Fireman's Dance went well with only one minor incident. On Thursday, October 12<sup>th</sup> is Homecoming and he gave the school a preliminary okay to do the Homecoming Parade at 2:30 p.m. on Broadway Street.

The Cherry Creek Committee to decorate the street poles along Broadway Street in the business district as a fundraiser/competition and then do a Chili feed at the Legion on October 28<sup>th</sup>. A Motion was made by S. McCabe and second by Hintgen to approve the Cherry Creek Committee street pole decorating fundraiser. Voting: Yes - All

Mayor McCabe called the public hearing to order at 6:00 p.m. to discuss Ordinance 6980.00 Prohibiting the use of THC Products in public places. No comment from the Public, however Council Members asked questions regarding the use in the resident's yard and in home and O'Malley had questions regarding THC use at the Muni. Jason Moran suggested adding two things to the Ordinance 1) Any public place where children could be exposed to second hand THC smoke 2) Any location covered by the Minnesota Clean Indoor Air Act, the Freedom to Breathe Act, or any amendments to the same. A Motion was made to adjourn the public hearing by Hiller and second by S. McCabe. Voting: Yes - All

Regular Council Meeting resumed at 6:39 p.m.

A Motion was by Hintgen and second by Hiller to approved Ordinance 6980.00 Prohibiting the use of THC Products in public places with the addition of the two items. Voting: Yes - All

**Public Works Report** – M&W did some paving on 6<sup>th</sup> by the school and that has been completed. They are planning a little bit of paving around 2<sup>nd</sup> Street and Broadway St. where it is starting to break up. Volk mentioned that he is noticing a little wear on one of the pumps to where the efficiency level is starting to drop. Volk is hoping once West Jefferson Sewer District disconnects that everything will be back to normal.

Hintgen asked about the old street sweeper and that it needs to be removed before winter. Council discussed different options and instead of selling it, Council agreed to scrap it. Volk is still waiting on the last bid from Selly on the 5<sup>th</sup> Street storm sewer project. He also mentioned that the washed out storm going down to Cherry Creek was fixed today. Selly's will be replacing the culvert on Columbia either this week or next week.

**Liquor Report** – The report was not presented due to technical difficulties. O’Malley mention Customer Appreciation is Saturday, October 28<sup>th</sup>. She also mentioned that the new walk-in cooler would be installed Monday, October 16<sup>th</sup> and the Muni will be closed.

**Building Official Report** – Permits for 1 sign install, 1 home residing, 2 for fences, 2 remodeling, 1 home addition and 1 patio/patio awning.

P&Z Report – No Report

EDA Report – No Report

**Personnel Committee Report** – City Clerk Hodge said that we are receiving a lot of applications that are coming in for the Public Works Helper Position. Hintgen said that they would be starting employee reviews and said that they will be sending out forms for self-reviews.

### **New Business**

**Cleveland Fire Relief Assoc. Pension Plan** - A Motion was made by Hintgen and second by S. McCabe to approve the Cleveland Fire Relief Association pension increase that was presented by Andy Rohlfing, Fire Relief Treasurer. Voting: Yes – All

**Resolution 24-2023** - A Motion was made by Hintgen and second by Hiller to approve Resolution 24-2023 Accepting Donations to the City. Voting: Yes - All

**Verbal Resignation** - A Motion was made by Hintgen and second by S. McCabe to approve the verbal resignation from Public Works Helper Nolan Holicky. Voting: Yes – All

**VOTER Agreement** - A Motion was made by Hintgen and second by Hiller to approve the Voting Operations, Technology & Election Recourses (VOTER) Account Agreement. Voting Yes – All

A Motion was made to adjourn at 6:53 p.m. by Hintgen and second by Hiller. Voting: Yes – All

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Don McCabe, Mayor

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Charles Hodge, City Clerk-Treasurer